

Message

From: Dangelo, AJ [Dangelo.Aj@epa.gov]
Sent: 1/26/2021 2:47:52 PM
To: Rowsey, Kevin [rowsey.kevin@epa.gov]
Subject: FW: Proposed Permit Issuance for Roulette Oil and Gas Company
Attachments: R3 Tribal Consultation SOP - September 2020.pdf

Kevin:

I had have the 2011 policy to which Dan provided a link, below . . . but I did not have the R3 2020 SOP (Attached). Forwarding that to you by this message. Hope to get a chance ot look at it before our 11:00 call !

Sincerely,

A.J. D'Angelo

A.J. D'Angelo
Senior Assistant Regional Counsel
Air & Toxics Branch
Office of Regional Counsel (3RC30)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
Tel. (215) 814-2480
e-mail: dangelo.aj@epa.gov

THIS TRANSMISSION MAY CONTAIN DELIBERATIVE, ATTORNEY-CLIENT, ATTORNEY WORK PRODUCT OR OTHERWISE PRIVILEGED MATERIAL. DO NOT RELEASE WITHOUT APPROPRIATE REVIEW. IF THIS MESSAGE HAS BEEN RECEIVED BY YOU IN ERROR, YOU ARE INSTRUCTED TO DELETE THIS MESSAGE FROM YOUR MACHINE AND ALL STORAGE MEDIA, WHETHER ELECTRONIC OR HARD COPY.

From: Isales, Daniel <Isales.Daniel@epa.gov>
Sent: Tuesday, January 26, 2021 9:42 AM
To: Dangelo, AJ <Dangelo.Aj@epa.gov>
Subject: RE: Proposed Permit Issuance for Roulette Oil and Gas Company

Always a pleasure speaking to you, sir, so look forward to our conversation. Just to have as part of your files I've attached the R3 Consultation SOP. In addition, you should be familiar with the 2011 EPA national consultation policy, which can be found at: <https://www.epa.gov/sites/production/files/2013-08/documents/cons-and-coord-with-indian-tribes-policy.pdf>

Talk to you shortly, Dan

Daniel L. Isales (3RC50)
United States Environmental Protection Agency, Region III
Environmental Science Center
701 Mapes Road
Fort Meade, Maryland 20755-5350

(410) 305-3016
Isales.daniel@epa.gov

From: Dangelo, AJ <Dangelo.Aj@epa.gov>
Sent: Tuesday, January 26, 2021 9:35 AM
To: Isales, Daniel <Isales.Daniel@epa.gov>
Subject: RE: Proposed Permit Issuance for Roulette Oil and Gas Company

Dan:

We had a first meeting – just ended. I aw you just accepted a follow-up. Will talk to you at 11:00.

Sincerely,

A.J. D'Angelo
A.J. D'Angelo
Senior Assistant Regional Counsel
Air & Toxics Branch
Office of Regional Counsel (3RC30)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
Tel. (215) 814-2480
e-mail: dangelo.aj@epa.gov

THIS TRANSMISSION MAY CONTAIN DELIBERATIVE, ATTORNEY-CLIENT, ATTORNEY WORK PRODUCT OR OTHERWISE PRIVILEGED MATERIAL. DO NOT RELEASE WITHOUT APPROPRIATE REVIEW. IF THIS MESSAGE HAS BEEN RECEIVED BY YOU IN ERROR, YOU ARE INSTRUCTED TO DELETE THIS MESSAGE FROM YOUR MACHINE AND ALL STORAGE MEDIA, WHETHER ELECTRONIC OR HARD COPY.

From: Isales, Daniel <Isales.Daniel@epa.gov>
Sent: Tuesday, January 26, 2021 9:33 AM
To: Dangelo, AJ <Dangelo.Aj@epa.gov>
Subject: RE: Proposed Permit Issuance for Roulette Oil and Gas Company

A.J.,

For what time is the meeting scheduled for? If I'm available, I'm certainly happy to participate. Thanks, Dan

Daniel L. Isales (3RC50)
United States Environmental Protection Agency, Region III
Environmental Science Center
701 Mapes Road
Fort Meade, Maryland 20755-5350

(410) 305-3016
Isales.daniel@epa.gov

From: Dangelo, AJ <Dangelo.Aj@epa.gov>
Sent: Tuesday, January 26, 2021 9:11 AM
To: Isales, Daniel <Isales.Daniel@epa.gov>
Subject: FW: Proposed Permit Issuance for Roulette Oil and Gas Company

Dan:

I now understand that you are the R3 ORC Tribal contact. I am currently on an internal call w/our Water Program on the below. Are you available **today** to further discuss the Tribal Consultation process in this UIC Permit matter ?

Sincerely,

A.J. D'Angelo

A.J. D'Angelo
Senior Assistant Regional Counsel
Air & Toxics Branch
Office of Regional Counsel (3RC30)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
Tel. (215) 814-2480
e-mail: dangelo.aj@epa.gov

THIS TRANSMISSION MAY CONTAIN DELIBERATIVE, ATTORNEY-CLIENT, ATTORNEY WORK PRODUCT OR OTHERWISE PRIVILEGED MATERIAL. DO NOT RELEASE WITHOUT APPROPRIATE REVIEW. IF THIS MESSAGE HAS BEEN RECEIVED BY YOU IN ERROR, YOU ARE INSTRUCTED TO DELETE THIS MESSAGE FROM YOUR MACHINE AND ALL STORAGE MEDIA, WHETHER ELECTRONIC OR HARD COPY.

From: Rowsey, Kevin <rowsey.kevin@epa.gov>

Sent: Monday, January 25, 2021 3:14 PM

To: Dangelo, AJ <Dangelo.Aj@epa.gov>

Cc: Bennett, James <bennett.james@epa.gov>; Bryant, Renee <bryant.renee@epa.gov>; Rectenwald, David <Rectenwald.Dave@epa.gov>

Subject: FW: Proposed Permit Issuance for Roulette Oil and Gas Company

Hi A.J.,

I have a lot to update you on for the Roulette draft permit. Since last Thursday, we've received about 20 requests for a public hearing. One of those requests is from the Chief of the Seneca Nation Indian Tribe in New York (just across the PA/NY border). We intend on holding the hearing next Tuesday evening from 6:00-8:00 pm EST on the reservation-less plus conference line. However, we also need to start the consultation process with the Seneca Nation which will probably be facilitated by Region 3 and in conjunction with Region 2. We think it's best to hold the hearing and then start the consultation process with the Seneca Nation since everything is already moving in that direction. What are your thoughts?

My supervisor, Jim Bennett, is setting up a call tomorrow with our OCTEA in Region 3 to discuss the consultation process. I'm not sure if you'd like to join that conversation or not. I can certainly forward the meeting invitation to you.

Please give me a call if you have any questions or want to discuss this further.

Kevin

Kevin Rowsey
Source Water & UIC Section
Water Division
U.S. EPA Region III

1650 Arch Street
Philadelphia, PA 19103
Phone: 215.814.5463

From: Arcaya, Alyssa <arcaya.alyssa@epa.gov>
Sent: Monday, January 25, 2021 2:25 PM
To: Rowsey, Kevin <rowsey.kevin@epa.gov>
Cc: Jonathan, Grant <Jonathan.Grant@epa.gov>; Hamilton, Brian <Hamilton.Brian@epa.gov>; Ash, Christine <Ash.Christine@epa.gov>; Price-Fay, Michelle <Price-Fay.Michelle@epa.gov>; Sherman, Eliot <Sherman.Eliot@epa.gov>
Subject: RE: Proposed Permit Issuance for Roulette Oil and Gas Company

Hi Kevin,

I hope all is well with you. I understand that Brian Hamilton Ex. 6 Personal Privacy (PP) I wanted to reach out in his absence to let you know about the unique arrangement Regions 2 and 3 have with the Seneca Nation concerning matters that affect the Allegany River Watershed. I'm cc'ing Michelle Price-Fay here, who is my counterpart in R3. Michelle has some experience working with the Seneca Nation on surface water issues.

We've been engaged in formal consultation with the Seneca Nation for several years about activities related to oil and gas development in Pennsylvania and how those activities might affect Seneca Nation waters. Whenever possible, we seek to let the Seneca Nation know about activities related to oil and gas discharges in the watershed before any actions or permitting decisions are taken.

When we began this process in 2018, we were focused on NPDES permitting, pretreatment and WQS but didn't engage with the UIC program.

Please let us know if you have any questions about the consultation process while Brian is out. Grant Jonathan, cc'ed here, is our tribal programs coordinator and has considerable experience with consultations. In the notice of tentative public hearing on EPA's website, we note "EPA expressly reserves the right to cancel this hearing unless a significant degree of public interest is evidenced by January 25, 2021." Please contact us in R2 if R3 is considering cancelling this hearing due to lack of interest (a request for formal consultation from a tribal nation is a significant request). It's possible that the SNI will request an extension to the public comment period- please also let us know if this is something R3 would consider *not* granting if received- we should discuss first.

Thanks so much and please let us know how we can help.

Alyssa

Alyssa Arcaya
Chief, Clean Water Regulatory Branch
Water Division, EPA Region 2
(212) 637-3730 – office
(646) 357-2159 - cell

From: Cliff Redeye III <clifford.redeye@sni.org>
Sent: Monday, January 25, 2021 1:25 PM
To: Rowsey, Kevin <rowsey.kevin@epa.gov>
Cc: Jonathan, Grant <Jonathan.Grant@epa.gov>; Arcaya, Alyssa <arcaya.alyssa@epa.gov>; Hamilton, Brian

<Hamilton.Brian@epa.gov>

Subject: Proposed Permit Issuance for Roulette Oil and Gas Company

Hello Mr. Rowsey

I am writing in regard to the proposed permit being issued to Roulette Oil and Gas.

I am a representative for the Seneca Nation Environmental Program and we are requesting that the public hearing be held. The Seneca Nation is concerned that contaminants from the disposal well will end up in the headwaters of the Allegany River and pollute our territory.

We would also like to request a formal consultation on the matter. I have reached out to EPA Region 2 representatives as well with our request. Please feel free to call or email with any questions.

Thank you,

Clifford C. Redeye III

Acting Director

Seneca Nation Environmental Protection Department

90 Ohiyo Way

Salamanca, NY 14779

716-983-6047 (cell)

716-945-1790

EXT. 3191

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please delete this message. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. Finally, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email. www.sni.org